

SIXTEENTH DAY.

Senate Chamber,
Austin, Texas,
January 30, 1935.

The Senate met at 10 o'clock, a. m., pursuant to adjournment, and was called to order by President Pro Tem. K. M. Regan.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Neal.
Blackert.	ONeal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Sulak.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.**Senate Bill No. 186.**

By Senator Redditt:

S. B. No. 186, A bill to be entitled "An Act appropriating seven thousand three hundred fifty dollars (\$7,350.00), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated to pay the salaries of the three District Judges of the Special District Courts for Smith County, Rusk County, and Gregg County; and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 187.

By Senator Shivers:

S. B. No. 187, A bill to be entitled "An Act providing for a period of redemption for two years on real estate foreclosures; providing the method therefor; providing for possession after sale; repealing all laws and parts of laws in conflict; and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 188.

By Senators Duggan, Holbrook and Woodruff:

S. B. No. 188, A bill to be entitled "An Act to protect the legitimate home merchants against itinerant merchants; defining itinerant merchant; defining the operation of a temporary store; exempting bona fide residents of any county and commercial travelers selling at wholesale; providing for truthful advertising of goods they offer for sale; requiring a deposit with the Secretary of State; providing for the issuance of a vendor's license by the Secretary of State and the proper exhibition, filing, and recording of the same; providing for the enforcement of the provisions of same; deposits subject to attachment and execution; naming a penalty and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 189.

By Senators Duggan, Holbrook and Woodruff:

S. B. No. 189, A bill to be entitled "An Act amending Articles 7050, 7052, 7053, 7054, Revised Civil Statutes of 1925, and Section 1, H. B. 514, Chapter 267, Acts Regular Session Forty-second Legislature, and amending Paragraph E, Section 3, Section 4, Section 5, Section 10, and Section 11 of H. B. 122, Chapter 116, Acts Regular Session, Forty-third Legislature, and declaring an emergency."

Read and referred to the Committee on Towns and City Corporations.

Senate Bill No. 190.

By Senator Duggan:

S. B. No. 190, A bill to be entitled "An Act appropriating five million

dollars (\$5,000,000) per year, or so much thereof as may be necessary for the next biennium beginning September 1, 1935, and ending August 31, 1937, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, including sufficient funds to match Federal funds appropriated for the purpose of conducting vocational, agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children; attaching conditions, regulation, and limitations relative thereto; authorizing aid to such schools in accordance with the conditions specified herein; providing for the maintenance for a certain length of term of all schools meeting the requirements of this Act; providing assistance for rural schools that will afford instruction and demonstration in home and farm vocations; authorizing the use of an amount not to exceed a certain sum for the payment each year of the biennium for high school tuition for rural school pupils according to the provisions of Chapter 181 of the General Laws of the Fortieth Legislature, Regular Session as amended by Senate Bill No. 10, passed at the First Called Session of the Forty-first Legislature and further amended by Senate Bill No. 41, Chapter 20, passed at the First Called Session of the Forty-second Legislature, or as may be amended by House Bill No. 158, Regular Session of the Forty-fourth Legislature; providing for the payment of transportation aid under certain conditions; specifying the penalties for violation of any provision of this Act; authorizing the State Board of Education and the State Superintendent of Public Instruction to administer the funds appropriated herein; defining the manner of payments and disbursements of all moneys granted under the provisions of this Act; enacting other provisions necessary and incidental to the provisions of this Act; declaring the rule in event any provision of this Act is unconstitutional or invalid; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Resolution No. 29.

Senator Westerfeld sent up to the following resolution:

Whereas, These truths are self-evident:

First. That under the Constitution of this State, the right of petition is guaranteed to every citizen, and that the word "citizen" includes not only every person, but every firm, corporation or association of individuals.

Second: That the right of petition embraces the right to appeal to the Legislature and its members either singly or collectively; either personally or through duly constituted agents; either by written petition or by appearing in person, and fundamentally no odium should attach to any man or set of men, citizen or citizens of this State, or their representatives, paid or unpaid for such services, who honestly, openly and frankly call upon, appeal to and seek to convince by legitimate means or argument members of the Senate or House of Representatives of this State that they should vote for or against any measure or proposition pending for consideration in either branch of the Legislature.

Third: That under our rapidly growing and expanding system of government, the clamor for recognition and special privileges by enormous groups of industrial interests, by great transportation interests, by public utility combines and by interests engaged in handling the great natural resources of the State and seeking to control the untold wealth of oil and gas and other minerals and their distribution throughout the markets of the world, has saddled the Legislature of this State with a complexity of problems, the solution of which requires the frank and open co-operation of every honest legislator, every expert, every well-posted individual and every student of political economy who can find a seat in the council chambers or make himself heard before deliberative committees, seeking to work out a solution of these questions.

Fourth: That all sources of information worth while to members of the Legislature should be sources that are dependable. Secret agents should not be tolerated, nor was it

contemplated by the Constitution that an individual or citizen should have a right to employ secret agents to convey his petition to the Legislature. One who appears to secretly urge members of the Legislature to vote for or against pending or proposed legislation should be banished from the bar of both Senate and House, nor should he be permitted to ply his nefarious trade inside or outside of the Capitol of this State. There is no place in economic government for any individual who offers secretly to buy and sell legislation at so much per day, week or month, or per page or Act, and keep his work a secret from the public, and there should be no seat in either the House or Senate of Texas for a member who will even listen to the alluring argument of a secret emissary who is ashamed to reveal his real principal or the motive that prompts him to seek consideration at the hands of the people's representative. If his motive is an honest one, his cause worthy, he should have the ear of every member and be encouraged to come early and often; if his motive is self-serving, his visitation a secret, his object to obtain a special privilege, he should be banned.

Premises Considered, be it therefore:

Resolved: By the Senate of Texas; That during the regular and any called sessions of the Forty-fourth Legislature of this State, every citizen of this State, whether receiving pay for his services as an attorney or agent, or not, shall, upon his arrival in Austin or while here and before consulting with any member of this body respecting the passage or defeat of any legislation proposed or pending before this body, also before appearing before any committee of the Senate, in behalf of or against the passage of any bill, resolution or other proposition, or in behalf of or against any amendment to any bill or resolution, shall comply with the following rule, to-wit:

He shall furnish to the Secretary of the Senate the following information:

1. His full name and address.
2. His regular occupation or profession.
3. Whether he has ever been a member of the Legislature of Texas

and if so, when and from what district, and whether of the House or Senate or both.

4. Whether or not he has been employed as an attorney, or agent to come to Austin, and/or being already here has received or will receive pay for consulting with or appearing before members of the Legislature, and if so, who has so employed him, and who he has or who he expects to receive pay from.

5. If his employer appears to be an individual, what business such individual is engaged in, and if a corporation, the name of same and its place of business and home office.

6. The legislation he is interested in and whether for or against or seeking an amendment or amendments thereto.

7. If in a particular class of legislation, a description of same by which such legislation may be identified, and whether such person is for or against it.

8. If such person is with a delegation, who is chairman of same and the names of the other members.

9. He shall state whether or not he holds any kind of a State office or draws pay from the State for any services rendered.

10. If he holds a State or county, or district office he shall be required to answer the same as any other citizen.

11. He shall state whether or not he has ever been or is now in the employ of any railway company, trucking or transportation company of any kind, or has received money from such corporations or from any public utility corporation, at any time within five years preceding.

And it shall be the duty of the Secretary of the Senate to file such statements so received from citizens appearing before the Senate, in his office, and in the Senate Journal of succeeding day after same has been filed shall appear, not the entire statement, but the Secretary of the Senate shall therein publish the answers to questions Nos. 1, 2, 3 and 6 of those set out above, and shall at all times permit bona fide representatives of the newspapers of Texas and any other persons requesting, the privilege of examining and securing copies of such statements.

Resolved further, That all honest, bona fide petitioners, coming to

Austin to consult members of the Legislature from time to time during the sessions of this body be respectfully requested to comply with this rule, and that all petitioners, including heads of departments, the Governor alone excepted, be required to fully comply with the same, for the general good, and that the failure of any such persons to do so, shall subject them to prosecution before the bar of this Senate for contempt.

WESTERFELD.

Read and referred to the Committee on State Affairs.

Committee on Insurance.

Senator Collie asked unanimous consent to change the time of meetings of the Committee on Insurance, from 3 o'clock p. m., on Thursday to 4 o'clock p. m., on Thursday and that the Journal so show.

Unanimous consent was granted.

S. C. R. No. 12.

Senator Moore sent up the following resolution:

Whereas, The Interscholastic League of Texas annually holds debates, declamations and essay contests in each public school in the State of Texas; and,

Whereas, The Interscholastic League of Texas has not included in the subject matter of such declamations and essays the lives and deeds of heroes of the Southern Confederacy and of the State of Texas; and,

Whereas, It is the sense of the Legislature of the State of Texas that such heroes should be named in the subject matter of the declamations and essays held by the Interscholastic League in the Public Schools thereof; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Interscholastic League of Texas be, and it is hereby respectfully requested to include in the subject matter of the declamations and essays to be held by it in the public schools of Texas, the lives and deeds of heroes of the Southern Confederacy and of the State of Texas, be it further

Resolved, That a copy of these resolutions be forwarded to the Interscholastic League of Texas.

MOORE.

Read and Senator Moore asked unanimous consent that the rule requiring resolutions be referred to a committee be suspended and S. C. R. No. 12 be taken up at this time.

Unanimous consent was granted.

Senator Moore moved the adoption of S. C. R. No. 12.

The motion prevailed by viva voce vote.

Senate Bill No. 191.

By Senator Woodruff:

S. B. No. 191, A bill to be entitled "An Act to provide for the appointment and qualification of notaries public, State at large; amending Article 5949, Revised Statutes of 1925, as amended by Chapter 14, Acts of the Regular Session, Fortieth Legislature, by adding thereto Article 5959-a; amending Article 5954, Revised Statutes of 1925, by adding thereto Article 5954-a; amending Article 5958, Revised Statutes of 1925, by adding thereto Article 5958-a; amending Article 5960, Revised Statutes of 1925, by adding thereto Article 5960-a, and declaring an emergency.

Read and referred to the Committee on State Affairs.

Senate Resolution No. 30.

Senator Redditt sent up the following resolution:

Whereas, Hon. F. A. Silcox, of Washington, D. C., National Forester and Chief of the United States Forest Service, Department of Agriculture, and Hon. J. C. Kircher, of Atlanta, Georgia, Regional Forester of the United States Forest Service, Department of Agriculture, are considering a visit to the State of Texas in the interest of forest work now in progress, and in the interest of a proposed National Forest for the State of Texas; and,

Whereas, The United States Forest Service is the largest department in the Department of Agriculture, and has under its supervision the maintenance work of approximately two thousand Civilian Conservation Corps Camps in the United States; and,

Whereas, The State of Texas is deriving great benefit by virtue of the establishment of various Civilian Conservation Corps Camps in Texas, and from the various activities of the United States Forest Service, Department of Agriculture; be it therefore

Resolved by the Senate of Texas, That a most cordial invitation be extended to Hon. F. A. Silcox, National Forester, and Hon. J. C. Kircher, Regional Forester, to visit the State of Texas; and be it further

Resolved, That during their visit in Texas, that all State officials be requested to extend to them all possible courtesies and considerations.

REDDITT.

Read and adopted by viva voce vote on motion of Senator Redditt.

Senate Bill No. 192.

By Senator Van Zandt:

S. B. No. 192, A bill to be entitled "An Act regulating primary elections and nominations of political parties in this State, and declaring an emergency."

Read and referred to the Committee on Privileges and Elections.

At Ease.

On motion of Senator Oneal the Senate at 10:35 o'clock a. m., stood at ease for ten minutes awaiting a message from the House.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Message From the House.

Hall of the House of Representatives, Austin, Texas, Jan. 30, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

H. B. No. 115, A bill to be entitled "An Act to amend Article 1580, Chapter 5, Title 18, of the Revised Criminal Statutes of Texas, 1925, relating to the hours of labor on public work; repealing Article 5166, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 172, A bill to be entitled "An Act repealing S. B. No. 866, Chapter 185, and H. B. No. 104, Chapter 84, Acts of the Forty-third Legislature in its Regular Session in 1933, and to amend Sections 1, 2, and 6, Chapter 148 of the General Laws passed by the Forty-second Legislature in its Regular Session in 1931, relating to the authority of

counties and incorporated cities and the Texas Parks Board, separately, or in cooperation with each other, to acquire by gift or purchase land for public parks, etc., and declaring an emergency."

H. B. No. 159, A bill to be entitled "An Act to amend Article 1683 of the Revised Civil Statutes so as to provide that county librarians who have received a certificate of qualification for office one time from the State Board of Examiners, and said county librarian has under said certificate received employment in any county library in this State, said librarian may thereafter be re-employed by said county library without further examination and the issuance of another certificate from said State Board of Library Examiners, and declaring an emergency."

H. C. R. No. 22, Inviting Honorable "Alfalfa Bill" Murray to address a joint session of the House and Senate at 10:45 a. m., Wednesday, January 30, 1935.

Respectfully submitted.

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. C. R. No. 22.

The Chair laid before the Senate.

H. C. R. No. 22, Inviting Honorable "Alfalfa Bill" Murray to address a joint session of the House and Senate at 10:45 o'clock a. m., Wednesday.

Senator Oneal moved that the constitutional rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 22 be taken up and considered at this time.

The motion prevailed.

The resolution was adopted.

The Chair, President Pro Tem. K. M. Regan, appointed Senators Van Zandt, Oneal and Woodruff, on the part of the Senate, to escort Governor Murray to the Speaker's stand.

Joint Session.

At 10:45 o'clock a. m., the Senate adjourned to the House for the joint session.

In the House.

In accordance with a resolution heretofore adopted inviting Hon. "Bill" Murray to address a joint session of the House and Senate at 10:45 o'clock a. m., today, the Senate appeared at the Bar of the House and being admitted were escorted to

seats prepared for them along the aisle.

President Pro Tem, K. M. Regan occupied a seat on the Speaker's stand.

Speaker Stevenson presented Mr. Adamson, who in turn presented Senator Van Zandt who introduced Hon. "Bill" Murray, former Governor of Oklahoma.

Hon. W. H. Murray addressed the joint session.

Recess.

Senator Sanderford at 12:45 o'clock p. m., moved that the Senate recess until 3:00 o'clock p. m.

The motion prevailed.

After Recess.

The Senate met at 3:00 o'clock p. m., pursuant to recess and was called to order by President Pro Tem, K. M. Regan.

At Ease.

On motion of Senator Hornsby, the Senate stood at ease subject to the call of the Chair.

Called to Order.

The Senate was called to order at 3:58 o'clock p. m.

Senate Resolution No. 31.

Senator Hornsby sent up the following resolution:

Whereas, The Honorable John Nance Garner of Uvalde, Uvalde County, Texas, has served the nation in a splendid, constructive and patriotic manner as a member of the House of Representatives of the National Congress for 30 years, during two of which he was chosen by his fellow Congressmen for the high post of Speaker of the House; and

Whereas, Said John Nance Garner served in the position of Speaker with such ability and such earnest devotion to the cause of national duty that at the National Democratic Convention in July, 1932, he was chosen as the nominee of the Democratic Party for the position of Vice-President of the United States; and

Whereas, He was, with President Franklin D. Roosevelt, swept into this office by the overwhelming voice of the people of America; and

Whereas, He has served as President of the Senate of the United

States and as Vice-President with such distinction and his achievements in behalf of President Roosevelt's "New Deal" legislation have been of such importance that only recently our beloved President made the public statement that he would consider no running mate other than our own native-born Texan, John Nance Garner, in the national elections of 1936; and

Whereas, The Honorable John Nance Garner began his long career of eminent public service as a member of the Twenty-sixth and Twenty-seventh Legislatures, being a member of the House of Representatives in those two terms; and

Whereas, It is only fitting and proper that the Senate of the State of Texas should have a portrait of this distinguished son of Texas who has brought so much renown and fame to his native State; and

Whereas, Mrs. C. D. Rice of Austin, well known to the Senate of Texas as an artist by reason of her portraits of Ex-Governors Dan Moody and Ross Sterling which hang in the State Capitol, has just completed a portrait from life of our distinguished Vice-President; and

Whereas, This portrait represents John Nance Garner sitting in a dignified pose, looking every inch a great Vice-President of these United States; and

Whereas, The life-size portrait, being six feet by four feet in dimensions, is handsome in color and accurate in detail, thus adequately conveying to the canvas the expressions and features of our beloved native son; and

Whereas, The artist, Mrs. C. D. Rice of Austin, Texas, has agreed to sell the portrait to the State of Texas at the price of \$500.00, which portrait is of the estimated value of Fifteen Hundred to Two Thousand Dollars; now be it

Resolved, By the Senate of Texas, That this portrait of the said John Nance Garner should be purchased and hung on the walls of the Senate Chamber in the State Capitol; that the Lieutenant Governor appoint a committee of five to make all necessary arrangements for the selection of such portrait and to arrange for proper public ceremonies in connection with the hanging of same; and be it further

Resolved, That the expense of securing said portrait be paid out of the contingent expenses of the Forty-

fourth Legislature, at a cost not to exceed \$500.00

**HORNSBY,
REGAN.**

Read and referred to the Committee on Finance.

House Bills Referred.

H. B. No. 159 was referred to the Committee on Counties and County Boundaries.

H. B. No. 172 was referred to the Committee on Towns and City Corporations.

H. B. No. 115 was referred to the Committee on Labor.

Executive Session.

Senator Hornsby moved that the Senate go into Executive Session at 4:00 o'clock p. m., to consider Governor's nominations.

The motion prevailed.

The Chamber was cleared and the doors locked.

After Executive Session.

The Secretary of the Senate informed the Journal Clerk that the following action had been taken in Executive Session.

Committee Room,
Austin, Texas, Jan. 30, 1935.
Hon Ken M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointments, have had same under consideration, and I, as chairman of said committee, am instructed to report it back to the Senate with the recommendation that they be in all things confirmed:

To be Tax Commissioner:
R. B. Anderson of Johnson County.

To be Commissioner of Labor Statistics:
F. E. Nichols, of Ellis County.

To be Casualty Insurance Commissioner:
R. G. Waters, of Bowie County.

To be Livestock Sanitary Commissioners:
Chairman, Dave Nelson of Orange County, to succeed Leo Callan.

Members, R. H. (Bob) Martin of Val Verde County, to succeed

W. M. Glenn; Roy Jackson, of Webb County, to succeed Ed Steger.

To be member of Board of Pardons and Paroles:

J. B. Keith, of Erath County, to succeed Fred S. Rogers.

To be member of the State Board of Education for the next ensuing statutory term:

Honorable John W. Laird of Angelina County; James G. Strong of Panola County; Ben F. Tinsinger of Dallas.

ONEAL, Chairman.

Adopted.

Adjournment.

On motion of Senator Van Zandt the Senate at 6:55 o'clock p. m., adjourned until 10 o'clock a. m., Thursday.

APPENDIX.

Communications.

(Telegram.)

Washington, D. C., Jan. 29, 1935.
Honorable Bob Barker, Secretary State Senate, Austin, Texas.
Telegram received and is having my immediate and careful study and attention.

MORRIS SHEPHERD.

Committee Reports.

Committee Room,
Austin, Texas, Jan. 29, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 197, A bill to be entitled "An Act to promote and make practical the conservation and timely utilization of the natural resources of the State in compliance with the intent and command of Section 59, of Article XVI, of the Constitution; and to meet the emergency created by the request of the Federal Government that the State make immediate provision, under warrant of law, whereby there may be desirable coordination between plans for improvements in Texas by the Federal Government, by means of expenditures to be made by the 'National Resources Board,' and other Federal

Agencies, and such improvements as hereafter may need to be provided by the agencies of the State; and to give aid to the National Government in the development of its plans, to the end that our State may enjoy an equitable proportion of the benefits to be derived from the expenditure of Federal funds, and to procure greater harmony in the planning and expenditures of money by the several governmental agencies of the State and Federal Government; and, for the stated purposes, among others, creating a governmental agency, to terminate June 1, 1941, to consist of seven (7) members, to be known as The Texas Planning Board, the members of which shall serve without compensation; . . . and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with Committee Amendments Nos. 1, 2, 3, 4 and 5 and be printed.

PACE, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 197, by adding a new section to be known as Section 7a, as follows:

"Section 7a. All employees employed by the Texas Planning Board shall not be paid any salary or compensation greater than the salary or compensation paid to any employee of any State department performing the same or similar services. No expenses shall be incurred by the members of said board or by any employees unless first authorized by said board."

Committee Amendment No. 2.

Amend H. B. No. 197, by adding at the end of Section 2 the following:

"One member of the board shall be a person experienced in re-forestation."

Committee Amendment No. 3.

Amend Section 2 as follows by adding thereto:

"Any State officer or employee shall be eligible for appointment to membership on said board; provided, however, that if any such State officer or employee should be appointed by the Governor the duties performed by him shall be consid-

ered and deemed as ex-officio and in so far as such officer or employee is concerned this Act shall not be construed as creating a new or separate State office."

Committee Amendment No. 4.

Amend H. B. No. 197 by striking out the word "expressly" in Section 6.

Committee Amendment No. 5.

Amend H. B. No. 197, Section 6, by adding after the word "advisory" the words "anything in this Act to the contrary notwithstanding."

Committee Room,

Austin, Texas Jan. 29, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 31, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Forty-third Legislature of the State of Texas, and being S. B. No. 561, Chapter 160, and published at length in the General Laws, Regular Session of the Forty-third Legislature, at pages 406 to 407, by adding thereto a provision authorizing building and loan associations that may now or hereafter own bonds or securities mentioned in said Act to exchange same to their shareholders, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Jan. 29, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 217, A bill to be entitled "An Act granting to G. W. Witt of Cookville, Titus County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Titus County, Texas, for damages sustained to his property and improvements and grass and crops, and permanent damages to his land, on account of fire destruction of meadow and improvements; providing that such suit may be filed

within two years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

PACE, Chairman.

Committee Room,
Austin, Texas, Jan. 29, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was re-referred

S. B. No. 97, A bill to be entitled "An Act amending Chapter 18, Acts of the Third Called Session of the Forty-second Legislature by adding thereto Section 4-a so as to authorize building and loan associations to make loans under the terms and provisions of Title II of the National Housing Act and to except such loans from the limitations prescribed by said chapter, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as substituted.

PACE, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on State Affairs, Held January 29, 1935.

Regular Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Hughston, Martin, Moore, O'Neal, Redditt, Regan, Shivers, Small, Stone, Sulak.

Absent: Fellbaum, Rawlings (both excused.)

H. B. No. 197, with amendments, was reported favorably with the recommendation that it be printed by the following vote:

Yeas: Blackert, Cotton, DeBerry, Hornsby, Hughston, Moore, Oneal, Redditt, Regan.

Nays: Collie, Holbrook, Martin, Shivers, Small, Stone, Sulak.

S. B. No. 97 was reported favorably by a viva voce vote.

H. B. No. 217 was reported favorably by a viva voce vote.

S. B. No. 31 was reported favorably by a viva voce vote.

W. S. REEVES, Secretary.

Minutes of Senate Finance Committee, January 30, 1935.

Regular Meeting.

Present: Redditt, Beck, Burns, Duggan, Hill, Holbrook, Hopkins, Hornsby, Hughston, Neal, Poage, Regan Small, Stone, Sulak.

Absent—Excused: Martin, Oneal, Sanderford, Van Zandt, Woodruff.

Senate Bill No. 50 reported favorably. By request, Senator Hughston was recorded as voting "no."

Senate Bill No. 186 reported favorably.

NOEL K. BROWN, Secretary.

Senate Chamber,
Austin, Texas, Jan. 28, 1935.

The Committee on Constitutional Amendments met in open session in the Senate Chamber on Monday, January 28, 1935, with the following members present:

Blackert, Chairman.
Moore, Vice Chairman.
DeBerry,
Hopkins,
Holbrook,
Hornsby,
Martin,
Oneal,
Hill,
Sulak,
Van Zandt.

This being the full membership of the committee with the exception of Senator Rawlings, who was absent on account of important business.

The following speakers in the order named appeared in favor of Senate Joint Resolution No. 11, which had been set for public hearing at this time:

Lonnie Smith,
DeWitt Kinert,
Mrs. D. B. Cline,
B. L. Rogers,
Dr. Chas. A. Timm,
Mrs. Alice C. Newell.

The committee had voted to allow one hour for the proponents of the amendment, then one and a half hour for the opponents and after that thirty minutes for rebuttal by the proponents. At the close of Mrs. Newell's talk the proponents'

time was up and the following spoke for the opposition:

Frank Ahlgren,
Harold Hough,
Jack Estes,
Rev. W. H. Bewie,
Mrs. Leo Lesser,
John P. Pfeiffer,
R. D. Bowen.

At the close of Mr. Bowen's talk the hour and a half allotted to the opposition was up, and Senator Shivers introduced Messrs. E. R. Winston and W. F. Hill, who spoke briefly in favor of the amendment. Senator Westerfeld, Mr. Riley and Mrs. Will T. Decherd, also spoke for the amendment.

At the close of Mrs. Decherd's talk, Senator Holbrook moved that the committee report S. J. R. No. 11 back to the Senate with the recommendation that it do not pass and Senator Van Zandt offered as a substitute motion that it do pass. The chairman put the last motion first, but there was some confusion in counting the vote so he then put the original motion of Senator Holbrook that the committee report, the resolution do not pass.

Yeas.

Moore,
DeBerry,
Hopkins,
Hornsby,
Martin,
Hill,
Holbrook.

The following four Senators voted no:

Nays.

Blackert,
Oneal
Sulak,
Van Zandt.

Senators Oneal and Sulak, however, made the statement at the time of their vote against reporting the amendment unfavorably, that they reserved the right to vote against it on the floor of the Senate.

Senator Van Zandt served notice that he would file a minority report recommending that the amendment do pass.

BLACKERT, Chairman.

SEVENTEENTH DAY.

Senate Chamber,

Austin, Texas,

January 31, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. K. M. Regan.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Hughston.	Sulak.
Martin.	Westerfeld.

Absent—Excused.

Fellbaum. Woodruff.
Van Zandt.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Davis.

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.

Senator Excused.

Senator Woodruff was excused on account of important business on motion of Senator Poage.

Senate Bill No. 186.

By the following vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider S. B. No. 186.

Yeas—28.

Beck.	Collie.
Blackert.	Cotten.
Burns.	Davis.